

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-205 (MJD/TNL)

Plaintiff,

v.

ORDER

Maurice Lamar Myles,

Defendant.

This matter is before the Court on Defendant Maurice Lamar Myles' Motion for Continuance of Motion Hearing. (ECF No. 30.) Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act ("Statement of Facts"). (ECF No. 31.)

Defendant moves for a continuance of the November 14, 2022, motions hearing. (ECF No. 30.) Defense counsel notes that she is unavailable on November 14 as she will be preparing for sentencing in another case in the district which requires her to travel to Bemidji, Minnesota. (*Id.*) In his Statement of Facts, Defendant requests that the period of time from now until the rescheduled motions hearing date be excluded from the time in which he would otherwise be brought to trial under the Speedy Trial Act. (ECF No. 31.) The Government did not file an objection to the motion.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to allow Defendant's counsel to appear for the

motions hearing and to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Hearing (ECF No. 30) is **GRANTED**.

2. The period of time from **November 10 through December 13, 2022**, shall be excluded from Speedy Trial Act computations in this case.

3. The motions hearing shall be heard before Magistrate Judge Tony N. Leung on **December 13, 2022**, at **2:00 p.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

4. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT: the following trial and trial-related dates are:**

All voir dire questions and jury instructions must be submitted to District Judge Michael J. Davis on or before *a date to be determined*.

This case must commence trial on *a date to be determined* before District Judge Michel J. Davis in Courtroom 13E, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel**

must contact the Courtroom Deputy for District Judge Davis to confirm the new trial date.

Dated: November 10, 2022

s/Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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